

## **MINUTES**

### **UTAH ATHLETIC TRAINERS LICENSING BOARD MEETING**

**July 31, 2006**

**Room 464 (formerly 457) – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building**

**CONVENED:** 9:10 A.M.

**ADJOURNED:** 11:40 A.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Bill G. Bean  
Dale P. Mildenberger  
Brad L. Nelson  
Amy P. Powell, MD  
Leesa Myers

**Board Members Absent:**

Ronda Ingram

**Guests:**

Blaine Furgesen, AAG  
Lisa Walker, Athletic Trainers Association

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Opening Comments

Noel Taxin opened the meeting. Ms. Taxin stated that she will conduct the meeting for today and the Board Chairperson will conduct all future meetings.

Swearing in of Bill G. Bean, Dale P. Mildenberger, Brad L. Nelson, Amy P. Powell, MD and Leesa Myers as Board Members

**Ms. Taxin conducted the swearing in of Mr. Bean, Mr. Mildenberger, Mr. Nelson, Dr. Powell and Ms. Myers as Board members.** Board members took a moment to introduce themselves and give a short background description.

##### **DISCUSSION ITEMS:**

Board Chairperson

Dr. Powell nominated Bill Bean to be the Board Chairperson. Mr. Mildenberger seconded the

## Review Board Member Responsibilities and Division Expectations

nomination. **The Board vote was unanimous.**

Ms. Taxin explained that the Board has the responsibility to protect the public and the Association has the responsibility to protect the profession. Ms. Taxin requested the Board to listen, be fair and not be quick to judge as they conduct interviews and/or review applications. She asked Board members to be respectful to other Board members and any guests that may be present or may meet with the Board. She asked Board members to be on time for meetings and to call the Board Secretary if they are going to be absent. Ms. Taxin stated that the Board must stick to the guidelines of the Laws and Rules and if there is any situation that is not clear, the Board will then discuss that particular situation. She asked them to be fair and put aside all personal agendas and think about what is best for everyone and the public.

Ms. Taxin asked the Board to be careful of conflicts of interest and to be sure to state any conflict.

Ms. Taxin suggested the Board refer people who have questions to review the laws and rules. She cautioned them to be careful not to give a personal opinion but to refer people to the laws and rules or refer them to the Division. Ms. Taxin cautioned the Board not to give personal opinions.

Mr. Furgeson, AAG, stated that any involvement in specific situations with licensees may require the Board members to be recused from any hearings that may come before the Board.

Ms. Taxin recommended questions be referred to the Division. She cautioned the Board to be careful with comments such as “that coursework sounds good to me and you should be able to get licensed”. Ms. Taxin stated that the responsibility of the Division is to review the application and transcripts to determine the applicant has met the requirements for licensure.

Ms. Taxin stated that if someone appears before the Board that a Board member knows, the Board member should notify her and then ask the individual if they are comfortable with the Board member being part of the discussion. Ms. Taxin stated that if the individual

says they are uncomfortable, the Board member should leave the meeting for the appointment.

Ms. Taxin asked the Board members to review the Laws and Rules in order to be familiar with them so that when there is a discussion regarding an issue, the Board is able to participate with knowledge. She stated that she recommends licensees review the website each year in order to have the most current information.

**Ms. Myers asked if a public hearing is required to change the rules.**

Ms. Taxin responded that minor changes do not require a hearing but extensive changes do require a hearing.

Mr. Furgeson stated that the information is posted on the Division website and the public can look there.

**Ms. Myers asked what responsibility the Division has to notify the public of changes.**

Ms. Taxin responded that the Division cannot notify everyone personally. She stated that the Division relies on the website to post information and the public have a responsibility to contact the Division and/or review the website for updated information.

Ms. Taxin stated that Board members should act professionally, apply moral principles and be a role model for other licensees.

Ms. Taxin reminded the Board that the meetings are open to the public and are taped. She stated that anyone may purchase the tape if they are interested in hearing the meeting.

Ms. Taxin stated that meetings may be closed if someone comes in to discuss their personal mental stability and the meeting will be reopened after the discussion. Ms. Taxin stated that the Board members should not discuss Board business outside the formal meetings.

**Mr. Mildenberger stated that he received a letter to**

**serve on the Board. He asked if the 4 year terms are staggered or if everyone serves the same 4 years.**

Ms. Taxin responded that the terms are staggered, however, Board members may be re-appointed for a second 4 year term. She stated that, due to this being a new Board and staggered terms, there will be some Board members who will not serve a full 4 years. She stated that Mr. Nelson's term will expire June 30, 2007, Ms. Myers term will expire June 30, 2008, Mr. Mildenberger's term and Ms. Ingram's term will expire June 30, 2009 and Mr. Bean's term and Dr. Powell's term will expire June 30, 2010.

Review Roberts Rules of Order for Board Meetings

Ms. Taxin reviewed the Roberts Rules of Order. Ms. Taxin stated that she does like order in the meetings. Ms. Taxin explained that the Chairperson does not make motions as the Chairperson runs the meeting. She stated that the Chairperson should ask for a motion and for a second and when a second has been given the Board Chairperson will then ask if there is any discussion. She stated that after any discussion, the Board Chairperson will then ask for the vote. Ms. Taxin stated the votes are recorded and any abstaining is recorded.

Discuss Frequency of Board Meetings and Tentatively set up a Schedule for the remainder of 2006

Ms. Taxin stated that, after the Rules are in place, she would like to set up 2 Board meetings a year. She stated that if there is nothing for the agenda, Board meetings will be cancelled due to the lack of business to conduct. Ms. Taxin also stated that if there is business to conduct between the scheduled dates, there will be additional Board meetings scheduled. She asked Board members to contact the Division a minimum of 2 weeks prior to a scheduled meeting to include items on the agenda. She informed the Board that items may added up to 24 hours before a Board meeting as the final agenda must be posted on the website 24 hours prior to a meeting.

Ms. Taxin asked the Board to review the proposed Rules and if everyone agrees with them she will start the process for a Rules Hearing. Ms. Taxin stated that the Rules really need to be in place for applicants to be sure they meet the licensing requirements. Ms. Taxin suggested Board members review the proposed Rules

and contact her with any changes.

**Ms. Myers requested Ms. Taxin e-mail any changes for the Board to review.**

**Board members submitted their e-mail addresses for updates.**

Ms. Taxin requested the Board members to review their calendars to set up the next Board meeting.

**Board members requested November 8, 2006 from 2:00 pm to 4:30 pm for the next Board meeting and to finalize the Rules.**

**Board members requested the first 2007 meeting be scheduled for February.**

#### Review Division Website Information

Ms. Taxin informed the Board that all applications, Laws and Rules, Board minutes and Board agendas are posted on the website at [www.dopl.utah.gov](http://www.dopl.utah.gov) . Ms. Taxin requested Board members to refer applicants and the public to the website to review information prior to contacting the Division.

#### Review the Proposed Rules

Ms. Taxin explained that the Association submits the Law to the Legislature to approve and the Rules are written by the Division and Board. She stated that the Rules should explain the areas of the Law that need further clarification or areas that may say “as defined by Rule”.

Mr. Furgeson stated that the Rules must be within the statutory authority of the Law, as you cannot write a Rule that has no reference in the Law.

Ms. Taxin read the proposed Rules.

**Board members suggested some changes and then requested they have time to review and get back to Ms. Taxin with any further recommendations.**

#### Review the Application and Application Fee

Ms. Taxin reported that Bill G. Bean is our first licensed Athletic Trainer.

**Ms. Walker, Athletic Trainers Association, stated that she has her application ready to submit.**

Ms. Taxin stated that an application has been distributed to Board members. She stated that the application must be submitted with the fee, original transcripts and the National Athletic Trainer Association Board of Certification (NATABOC) certificate.

Ms. Taxin stated that an applicant that may have some legal issues should contact her for discussion as legal issues may affect their licensure. She stated that she requires a current BIC report to be submitted if there are legal issues. Ms. Taxin stated that each application with legal issues is reviewed individually. She stated that applicants must report all legal issues to NATABOC.

**Ms. Myers stated that the application states that education needs to be equivalent and she requested the Division add “in accordance with 58-40a-302”.**

**Dr. Powell recommended the application be left as it is written and if there are a lot questions regarding equivalent education, then have the Board review for changes.**

**Other Board members agreed.**

**Ms. Myers asked what the deadline date is for the Board to have their application submitted.**

Ms. Taxin responded that the Division is accepting applications now. Ms. Taxin stated that those who are practicing without a license are engaged in unlawful practice, however, since this is a new profession, the Division will not enforce licensing until January 1, 2007. Ms. Taxin stated that she does not anticipate many problems with this profession but there will be a few people who don't qualify and will think they should qualify. Ms. Taxin stated that the BOC evaluates the transcripts and credentials which will help reduce the workload for the Division.

**Mr. Mildenberger stated that Texas does not use the BOC, they have their own exams and have restricted the practice of their licensee to Texas only. He stated that Texas applicants may have**

**some problems being licensed in Utah.**

**Ms. Myers asked if applications are automatically sent to the Board to review if there are Yes answers on the Qualifying Questionnaire.**

Ms. Taxin responded that she reviews all Yes answers and may recommend the Board review the information if there is a Board meeting coming up or if she is unable to decide if the criminal background is severe enough for probation or denial. Ms. Taxin stated that the Board will be notified if an MOU or Stipulation and Order is issued. She stated that she will not hold applications for long periods of time for the Board to review.

Review the Licensing Process

Ms. Taxin stated that this area has already been covered at the Association meeting and earlier today.

FYI

Ms. Taxin notified the Board that the Division is holding a New Board Member Training session on September 12, 2006. Ms. Taxin recommended Board members arrange their schedules to attend this meeting.

**NEXT MEETING SCHEDULED FOR:**

November 8, 2006

**MEETING ADJOURNED AT:**

11:35 A.M.

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Date Approved

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Chairperson, Utah Athletic Trainers Licensing Board

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Date Approved

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Bureau Manager, Division of Occupational & Professional Licensing